

**3rd Submission**  
**received on**

**10/19/2006**



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OCT 19 2006  
ASIA-OFA

October 17, 2006

Director R. Lee Fleming  
Office of Federal Acknowledgment  
United States Department of the Interior  
MS: 34B-SIB  
1951 Constitution Avenue, NW.  
Washington, DC 20240

Re: October 11, 2006 Letter Requesting Additional Materials

Dear Mr. Fleming:

Thank you for your letter dated October 11, 2006 regarding the Tribe's June 30, 2006 Request for Confirmation of its Status. The Tribe greatly appreciates the time you and your staff are devoting to the Tribe's Request since our meeting on September 19, 2006. Many of the documents requested in the first page of your letter were inadvertently omitted during copying. Enclosed are the following materials that should be inserted at the appropriate tab in the Tejon Indian Tribe's June 30, 2006 Request for Confirmation of Status:

1. Page 2 of Special Indian Agent John Terrell's letter dated March 6, 1916 (Exhibit 17).
2. Page 5 of Special Assistant to the Attorney General George Fraser's letter dated July 12, 1920 (Exhibit 23).
3. Page 1 of E.B. Meritt's letter to L.A. Dornington dated October 27, 1923 (Exhibit 59).

In addition, we are enclosing L.A. Dornington's March 21, 1925 letter and referenced article in the San Francisco Chronicle. With regard to item 2 (January 14, 1918 Clotts Report), my understanding is that those pages do not appear on the source microfilm and presumably are lost forever. Likewise, we have not been able to locate the incoming letter from Vice President Charles Curtis referenced in the Secretary of the Interior's letter dated June 26, 1930.

Regarding the Department's request for Chief Lozada's death certificate, documents regarding Magdalena Olivas and documents relating to decent from Chico, the Tribe is in the process of locating and compiling those documents and will forward them to you as soon as possible. We note that Magdalena Olivas is pictured in the Kitancumuk Section of Volume 8 of the Smithsonian's Handbook of North American Indians, at 569.

TEJON INDIAN TRIBE  
2234 4th Street Wasco, CA 93280  
Home (661) 758-2303 - E-mail: kmorgan@bakrr.com

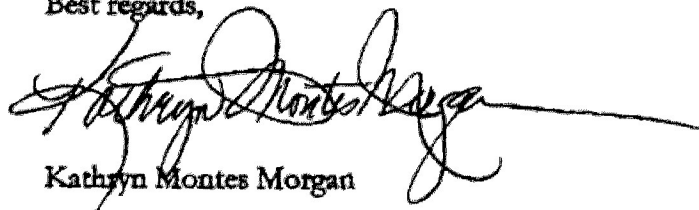
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Director R. Lee Fleming  
October 17, 2006  
Page 2

Please rest assured that the Tribe is committed to providing the Department with whatever assistance necessary to facilitate the Department's review of the Tribe's Request. We are concerned, however, that some of the requests contained on the second page of the Department's letter are not germane to the Tribe's Request for Confirmation. For example, we are puzzled about why the Department needs any additional historical documents from 1776 through 1962 given that the Department held land for the benefit of the Tribe until that time. Further, the United States affirmatively asserted in litigation (that ultimately reached the Supreme Court) that since 1846 the Tribe and its members "have been and now are wards of the United States[.]" *United States' v. Title Insurance & Trust Company*, Complaint at ¶ 1. The United States explains in its Supreme Court Brief that over time the tribal members remaining at Tejon Ranch had been reduced to "about 80" members – a figure that coincides with Special Indian Agent Terrell's 1915 census of the Tribe. See United States Supreme Court Brief, at 7 (Exhibit 71); December 12, 1915 Letter from Special Indian Agent Terrell to the Commissioner of Indian Affairs (Exhibit 14). Because these actions (and others) represent a clear expression of the United States' acknowledgment of the Tribe, I reiterate that our request of the Department is simply that it confirm the Tribe's status based on the historical documents (including BIA's 1915 census of Tejon members) and the genealogical evidence that demonstrates that our members descend from the members identified on the 1915 census.

The Tejon Tribe thanks the Department for devoting the time and resources to reviewing our Request for Confirmation. If we can be of any further assistance in your review, please do not hesitate to contact Suzanne Schaeffer. We respectfully request that the Department meet with our attorneys prior to November 1, 2006 so that we can provide an update on the status of our Request for Confirmation to our members at the Tribe's meeting on November 1.

Best regards,



Kathryn Montes Morgan

rather modestly had to say that he would sell his 240 acres for the price of \$10,000-00. Possibly there is as much as \$1,000-00 worth of improvements on his place, that is, worth that much, though possibly they may cost him as much as \$1,500-00.

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OCT 19 1905

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Really the entire canyon, that is, that portion coming to the thread of the stream on either side and back as far as available or desirable for use of the Indians, east from where water first comes to the surface and down said canyon to the Indian Rancheria is not, in my judgment, worth \$10,000-00.

All the other owners declined to fix a price.

Anticipating a probable failure to secure suitable land in locality above named, before leaving Bakersfield requested by letter from the General Land Office at Los Angeles data showing remaining Government land in the 4 blocks to the south, southeast and southwest and adjoining present Rancheria, which was kindly and promptly furnished, accompanied, however, with the suggestion of the clerk sending same that, in his opinion, ~~that~~ virtually all the land in said blocks worth while had been taken by white people.

He expressed himself as reasonably certain that the untaken-Government-land was all very rough and dry, at least having no permanent surface water. Had I been equipped with surveying instruments and sufficient data-field notes- that I might have gotten a correct start-fixed corner- would have spent sufficient time in last named locality to have concluded as to Government land worth while. I have been sorely disappointed that I have so far not been able to secure these poor most unfortunate Indians suitable purchasable land on which they may be located.

In the hope of possibly finding them a location some 25 to 30 miles to the northeast of the Rancheria in the vicinity of

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whenever opportunity offers, one and another of their gardens and cultivated fields is thrown into cattle range. Living in a free country they are not free men. This is a situation which has already excited the attention of neighboring white communities and aroused the activities of more than one religious body. It would not for a moment stand the test of public opinion. Under such conditions, the Government cannot and will not spare trouble or expense, either to itself or others, until the wrong is righted.

I am confident that you and your associates do not appreciate what has been done and what is still going on on the ranch under your apparent authority, and I am very hopeful that when you do your sense both of justice and of sympathy, even more than your natural desire to avoid trouble and expense and the results of failure, will lead you to adjust this controversy without litigation, along the lines indicated above and more fully in my former letter.

(3) I need make no further reply to your statement that the Tejon Indians are "free to do as they please without let or hindrance." You have been misinformed in this regard. Our information is precise; it is brought down to date and we are prepared to prove our statements.

Nor is it possible to admit that "they are better citizens under present conditions than they would be if taken in charge by the Government." No man, white or red, can be a good citizen if he feels that he holds his small possessions only on

RA-Schools  
TAMM-23  
D G H

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OCT 19 1923  
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In the case of Strawberry District, Colusa County, confer with the public school authorities and, if practicable, reduce the rate to \$14.

In the case of Strawberry Valley District, Butte County, the application is evidently in error in showing the cost per pupil per day based on average attendance to be \$17.00. Please confer with the public school authorities and, if they will, agree to the rate of \$14.00. **Super., Sacramento Agency.**

My dear Mr. Dorrington: In the case of Tejon Indian District, Kern County, the application is again in error in showing the cost per pupil per day last year based on average attendance to be \$17.00. The Office is forwarding you herewith a number of public school contracts recently submitted through the Superintendent of the Butte Agency. In each case the Superintendent has made these contracts for his own signature rather than that of the Assistant Commissioner. It will be necessary that they be changed for the signature of the Assistant Commissioner. The cause of disinterestedness will also be checked in this Office.

In the case of the Washington District, Nevada County, the application is evidently in error, showing the cost per pupil per day based on average attendance to be \$18.23. Please ascertain from the public school authorities the correct information for this item, and correct the application accordingly. The application shows that 11 teachers are employed in this school, yet there is only one certificate as to the qualification of one teacher. It will be necessary that the qualifications of all teachers instructing Indian pupils be given.

In the case of Marysville District, Yuba County, the application is evidently in error in showing \$18.40 as the cost per pupil per day last year based on average attendance. Please confer with the public school authorities and obtain the correct information in regard to this item. The number of white pupils to be received this year is limited, also the cost per pupil per day last year based on average attendance. In the case of Mt. Shasta District, Siskiyou County, the application fails to show the cost per pupil per day last year based on average attendance. This information is necessary and you are requested to furnish same.

In the case of Big Bar District, Butte County, in view of the Group 2 which the school is in, it

CARDON for Indian Office.

5-1142

DEPARTMENT OF THE INTERIOR  
UNITED STATES INDIAN FIELD SERVICE

SACRAMENTO INDIAN AGENCY  
SACRAMENTO-CALIFORNIA

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ASIA-OFA

March 21, 1925.



Hon. Charles H. Burke,  
Commissioner of Indian Affairs,  
Washington, D. C.

My dear Mr. Commissioner:

Referring to the attached news item from  
Bakersfield, California and appearing in the San  
Francisco Chronicle of 18th. Instant, kindly be  
advised that the writer has arranged to leave for  
Bakersfield and the Tejon settlement on Tuesday  
next with the firm intention of ascertaining the  
facts and taking such steps as may be necessary  
in the premises to protect the Indians.

You will be further informed.

Very Sincerely,

*L. A. Dorrington*  
L. A. Dorrington.  
Superintendent.

*Cal*

1750

6-1142

DEPARTMENT OF THE INTERIOR  
UNITED STATES INDIAN FIELD SERVICE

SACRAMENTO INDIAN AGENCY  
SACRAMENTO, CALIFORNIA

OCT 19 2006  
ASIA-OFA

March 21,

Hon. Charles E. Burke,  
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You will be further informed.

Very sincerely,

I. A. Dorrington.  
Superintendent.

**Tsjon Indians  
Loss of Their Home**

**ell Court Decision to be  
tested in Washington**

Special Dispatch to the Chronicle

BAKERSFIELD, March 21.

Tsjon Indians, who have owned  
the Tsjon ranch, southeast of Bakersfield for many years are now in  
danger of losing their homes and  
having a decision handed down by  
the high courts in favor of the  
ranch company which takes away  
all rights from the Indians to their  
lands.

A lease, placed on recent action,  
demands that the Indians give up  
lands sold to Bakersfield Co. and  
must pay an annual rental for the  
land, upon which the tribe has lived  
for nearly a century. The lease in-  
cluded a clause that the Indians  
agree to vacate the land within  
one year and it also contains a  
clause that the right to the land  
running on or near the land  
shall be revocable at any time.

Local friends of the Indians have  
taken the matter up with Wash-  
ington and efforts will be made to  
save their homes or to at least get  
aside enough land for them to  
make a living without cashing in.

**Terra Bella Catrus**



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OCT 18 2006

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